



Docket Number: 067074-0312419

PATENT APPLICATION

Client Reference: PCB/JM/P089100PUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of

JOHN JENKINS

Group Art Unit:

Application No.: 10/511,001

Examiner:

Filed: October 12, 2004

Confirmation No.:

For: COMBINATION OF AN AGENT THAT ATTENUATES TOPOISOMERASE 1 ACTIVITY  
AND AN AGENT THAT INHIBITS HEAT SHOCK PROTEIN 90 FOR USE IN  
CHEMOTHERAPY

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Applicants respectfully request the Examiner return an initialed copy of the enclosed Form PTO-1449 to Applicants with the next Office communication to indicate that the reference(s) has been considered, per MPEP § 609.

This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA application, OR (b) before the mailing date of the first Office Action on the merits in the present application. No certification or fee is required.

The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.

The references cited in the International Search Report. An English language version of the International Search Report is attached for the Examiner's information. According to the Notification of Acceptance in this file, copies of the references are already in the U.S. Patent Office file. Thus additional copies of the references are not attached.

Respectfully Submitted,



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Date: June 8, 2005  
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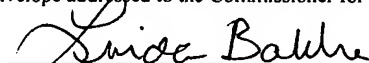
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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: <sup>10</sup>June 8, 2005

  
Signature

LINDA E. BAKKE  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**Complete if Known**

Application Number	10/511,001
Filing Date	10/12/2004
First Named Inventor	JOHN JENKINS
Art Unit	
Examiner Name	
Attorney Docket Number	067074-0312419

*(Use as many sheets as necessary)*

Sheet	1	of	1	Attorney Docket Number	067074-0312419
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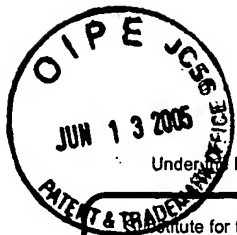
FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	B1	WO	02/36171 A1	10 May 2002	Rosen et al.		
	B2	WO	00/74634 A2	14 Dec 2000	Au et al.		

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/08b (08-03)  
Approved for use through 06/30/2006. OMB 0651-0031  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/511,001
				Filing Date	10/12/2004
				First Named Inventor	JOHN JENKINS
				Art Unit	
Examiner Name					
Sheet	1	of	1	Attorney Docket Number	067074-0312419

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	See Attachment 1		
	C2	XIANG, YI, "The Anti-Proliferative Effect of Inhibitor of Telomerase on Cultured Retinal Pigment Epithelial Cells," Journal of Tongji Medical University, Haazhong University of Science and Technology, Vol. 20 ( No. 4), p. 174-176, ( 2000).	
	C3	BANERJI, UDAI ET AL., "The Clinical Applications of Heat Shock Protein Inhibitors in Cancer - Present and Future," The Institute of Cancer Research, Bentham Science Publishers Ltd., p. 385-390, ( 2003).	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Information Disclosure Statement by Applicant (PTO/SB/08B);  
Additional Other Prior Art - Non Patent Literature Documents

Attachment 1

- a. C1
- b. CARDENAS, MARIA E. ET AL., "Antifungal Activities of Antineoplastic Agents: Saccharomyces cerevisiae as a Model System to Study Drug Action," Clinical Microbiology Reviews, American Society for Microbiology, Vol. 12 ( No. 4), p. 1-56, ( October 1999).
- c.